

Panaji, 13th April, 1989 (Chaitra 23, 1911)

SERIES I No. 2

OFFICIAL GAZETTE



GOVERNMENT OF GOA

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Department of Urban Development

Notification

3-7-79-DUD

Canacona Municipal Council levy of Octroi duty on Petrol and Diesel Bye-Laws, 1989

In exercise of the powers conferred by sub-section (1) of section 307 of the Goa, Daman and Diu Municipalities Act, 1968 (Act 7 of 1969), the Canacona Municipal Council hereby makes the following Bye-laws, namely:—

Short title, Commencement and application. — (1) These Bye-laws may be called the Canacona Municipal Council levy of Octroi duty on Petrol and Diesel Bye-laws, 1989.

(2) They shall come into force from the date of their publications in the Official Gazette.

(3) They shall apply to all petrol and diesel supplier company who brings into the Municipal area, petrol and diesel for the purpose of sale.

Definitions. — In these Bye-laws unless the context otherwise requires:—

(a) "Act" means the Goa, Daman and Diu Municipalities Act, 1968 (Act 7 of 1969);

(b) "Council" means Canacona Municipal Council constituted or deemed to be constituted under the Act for a Municipal area;

(c) "Dealer" means a person engaged in the business of purchase or sale or storage for sale of petrol and diesel and includes an agent of dealer;

(d) "Municipal area" means an area comprising Canacona Municipal Council as notified by the Government in the Official Gazette;

(e) "Octroi" means a tax on the entry of petrol and diesel into a Municipal area for the use or sale therein;

(f) "Petrol and Diesel" means any liquid hydrocarbon such as gasoline, diesel, etc. except kerosene and other inflammatory mixtures, used as fuel in automobile vehicles;

(g) "Petrol and Diesel supply company" means every individual firm, company or any business

unit which supplies Petrol or Diesel to the dealer in the Canacona Municipal Council area for sale;

(h) "Octroi limits" means the limits of the Canacona Municipal Council as notified by the Government in the Official Gazette;

(i) Words and expressions used in the Act and not defined in these bye-laws have the same meaning as assigned to them in the Act.

Bye-law No. 1. — Every petrol and diesel supply company which supplies petrol and diesel to the dealer into the Municipal area for the purpose of sale shall be subject to a levy of Octroi duty at the rate of 1% (one percent) on the value of the stock supplied to the dealers in the Canacona Municipal area which shall be commuted on the invoice amount.

Bye-law No. 2. — Every dealer in the Canacona Municipal area shall declare the stock received by it to the Municipal Council and within 15 days from the date of delivery of the stock, remit to the Municipal treasury the amount payable under Bye-law No. 1.

Bye-law no. 3. — The petrol and diesel supplier company shall furnish the Council every month a return/statement showing therein the stock delivered to each of the petrol and diesel dealers in the Canacona Municipal area.

Bye-law No. 4. — Whoever contravenes the provisions of the Bye-law No. 3 shall be liable to a penalty of 10% of the amount unpaid after the due date, limited to a period of two months.

Bye-law No. 5. — The amount payable under Bye-law No. 2 or the fine payable under bye-law No. 4 shall be recoverable as dues payable to Canacona Municipal Council and as an amount due on property tax.

Bye-law No. 6. — For further contravention of the Bye-law No. 2 and Bye-law No. 4, the Council shall seize the stock of the diesel and petrol to realise the amount due to the Council. The Council shall have powers to prohibit entry into the Municipal area of petrol and diesel by the defaulting petrol and diesel supplier company.

Bye-law No. 7. — In case of miscalculation or wrong calculation of the octroi duty and remittance to the Municipal Treasury, the Council may refund the amount so remitted in excess, on receipt of such claim from the dealer.

Bye-law No. 8. — The stock of petrol and diesel of the armed forces and of the Government shall be exempted from the payment of Octroi duty.

Bye-law No. 9. — The Chief Officer or Tax Superintendent or any other Officer appointed by the Council in this behalf, shall have right to enter at all reasonable hours the business premises of any dealer for the purpose of examining the stock register and require the production thereof for inspection and furnish such other information as may be required for the purpose of these bye-laws.

Bye-law No. 10. — Any person who is aggrieved by the decision of the Chief Officer, or any other officer of the Council, authorised by the Council under Bye-law No. 9, as the case may be, may within 15 days of the order of the Chief Officer, or any other such officer, as the case may be, prefer an appeal against the said order to the Standing Committee whose decision thereon shall be final.

Panaji, 31st March, 1989.

Legislature Department

LA/E/184/1989

The following bill which was introduced in the Legislative Assembly of Goa on 10-4-1989 is hereby published for general information in pursuance of the provisions of Rule 136 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

Panaji, 11th April, 1989.

The Goa Salary, Allowances and Pension of Members of the Legislative Assembly (Amendment) Bill, 1989

(Bill No. 10 of 1989)

A

BILL

to amend the Goa Salary, Allowances and Pension of Members of the Legislative Assembly Act, 1964.

Be it enacted by the Legislative Assembly of Goa in the Fortieth Year of the Republic of India as follows: —

1. *Short title and commencement.* — (1) This Act may be called the Goa Salary, Allowances and Pension of Members of the Legislative Assembly (Amendment) Act, 1989.

(2) It shall come into force at once.

2. *Insertion of new section 3AA.* — After section 3A of the Goa Salary, Allowances and Pension of Members of the Legislative Assembly Act, 1964 (Act 2 of 1965), the following new section 3AA shall be inserted, namely: —

“3AA. *Motor Car Advance.* — There shall be paid to a member, by way of repayable advance, such sum of money and subject to such conditions, as may be prescribed.”.

Statement of Objects and Reasons

As there is no provision for motor car advance to the members of the Legislative Assembly in the Goa Salary, Allowances and Pension of Members of the Legislative Assembly Act, 1964, it is proposed to insert a new section in the said Act so as to provide for motor car advance to the said members.

This Bill seeks to amend the Goa Salary, Allowances and Pension of Members of the Legislative Assembly Act, 1964 to that effect.

Financial Memorandum

Clause 2 of the Bill seeks to insert a new section 3AA in the principal Act so as to provide for payment to a member by way of repayable advance, such sum of money and subject to such conditions as may be prescribed.

The financial implications involved cannot be ascertained at this stage.

Panaji
30-3-1989

SHAIKH HASSAN HAROON
Minister for Law and Judiciary

Assembly Hall
Panaji
Dated: 3-4-1989

M. M. NAIK
Secretary to Legislative Assembly
of Goa

Governor's recommendation under article 207 of the Constitution:

In pursuance of article 207 of the Constitution, the Governor of Goa has recommended to the Legislative Assembly of Goa, the introduction and consideration of the Goa Salary, Allowances and Pension of Members of the Legislative Assembly (Amendment) Bill, 1989.